

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RYAN JACOBSON, a minor, by	)	
ROBERT JACOBSON and BEVERLY	)	
JACOBSON, as the parents and	)	
natural guardian of	)	
RYAN JACOBSON,	)	Civil Action No. 02-181
	)	
Plaintiff,	)	Judge Flowers Conti
	)	Magistrate Judge Caiazza
v.	)	
	)	
BMW of NORTH AMERICA, LLC,	)	
<i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

On March 29, 2002, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C.

§§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On February 22, 2006, the magistrate judge issued a Report (Doc. 167) recommending that the Plaintiff's Motion for Summary Judgment (Doc. 153) be denied, and the Defendants' Motion (Doc. 150) granted in part and denied in part. Service of the Report and Recommendation was made on the parties, and the Defendants filed objections on March 10, 2006. *See* Doc. 168.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following Order is entered:

AND NOW, on this 24th day of March, 2006, IT IS HEREBY ORDERED that the Plaintiff's Motion for Summary Judgment (**Doc. 153**) is **DENIED**, and the Defendants' Motion (**Doc. 150**) is **GRANTED IN PART** and **DENIED IN PART**, as described in the magistrate judge's Report.

The Report and Recommendation dated February 22, 2006 is adopted as the opinion of the District Court.

/s/ Joy Flowers Conti  
Joy Flowers Conti  
United States District Judge

cc:

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